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## FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
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AUSTIN, TEXAS 78701

03/00

~~SECTOR \$~~  
~~03/00~~  
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April 19, 2001

FILE: DEKA:260US

### CERTIFICATE OF MAILING 37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

April 19, 2001

Date

Robert E. Hanson

### BOX MISSING PARTS

Commissioner for Patents  
Washington, DC 20231

RE: SN 09/756,467 "INBRED CORN PLANT 5750 AND SEEDS THEREOF" - Kevin D.  
Eichelberger (Client Reference: 34-63(51666)

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed April 3, 2001;
- (2) Declaration executed by Kevin D. Eichelberger;
- (3) Power of Attorney;
- (4) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (5) Information Disclosure Statement;
- (6) Form PTO-1449;
- (7) Copies of references A1-A24, B1, and C1-C38;
- (8) Check in the amount of \$1224.00; and

OIPE/JCWS  
NOV 14 2002  
RECEIVED

Commissioner for Patents

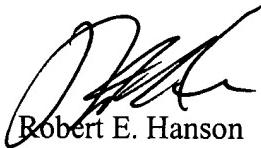
April 19, 2001

Page 2

- (9) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10026964/MBW.

Respectfully submitted,



Robert E. Hanson  
Agent for Applicant  
Reg. No. 42,628

REH/mar  
Encl: as noted



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Kevin D. Eichelberger

Serial No.: 09/756,467

Filed: January 8, 2001

For: INBRED CORN PLANT 5750 AND  
SEEDS THEREOF

Group Art Unit: 1638

Examiner: Unknown

Atty. Dkt. No.: DEKA:260US/MBW

CERTIFICATE OF MAILING  
37 C.F.R 1.8

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April 19, 2001

Date

Robert E. Hanson

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)**

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated April 3, 2001, there are enclosed herewith:

- (a) Declaration executed on behalf of Kevin D. Eichelberger;
- (b) A Power of Attorney on behalf of ASGROW SEED COMPANY LLC;
- (c) Our check in the amount of \$1224.00 to cover the basic filing fee (\$710.00 - utility large entity); surcharge for late filing (\$130.00) additional claims fee (\$384.00); and

(d) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under  
37 C.F.R. 1.53(b)-Filing Date Granted.

An Assignment to ASGROW SEED COMPANY LLC and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10026964/MBW.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Robert E. Hanson  
Reg. No. 42,628  
Agent for Applicant

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: April 19, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
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[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/756,467	01/08/2001	Kevin D. Eichelberger	DEKA:260US

CONFIRMATION NO. 7312

FORMALITIES LETTER



\*OC00000005930453\*

FULBRIGHT, & JAWORSKI L.L.P.  
A REGISTERD LIMITED LIABILITY PARTNERSHIP  
Suite 2400  
600 Congress Avenue  
Austin, TX 78701

Date Mailed: 04/03/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$192.
  - \$72 for 8 total claims over 20.
  - \$120 for 3 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 612.**

\$612  
710.00  
240.00  
144.00  
130.00

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00000001

04/24/2001 JADDO1  
01 FC101  
02 FC102  
03 FC103  
04 FC105

*A copy of this notice **MUST** be returned with the reply.*

*[Handwritten signature]*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE